248 CMR 11.00: EDUCATION AND EXPERIENCE STANDARDS AND REQUIREMENTS FOR LICENSURE

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11.01: Scope and Application

- (1) <u>Scope</u>. The provisions of 248 CMR 11.00 govern the educational and experience requirements for licensure as a journeyman plumber or journeyman gas fitter, licensure as a master plumber or master gas fitter and licensure as either an undiluted liquefied petroleum gas installer or limited undiluted liquefied petroleum gas installer. In addition, 248 CMR 11.00 governs the continuing education requirements for all licensed plumbers and gas fitters in the Commonwealth. Finally, the provisions of 248 CMR 11.00 govern the requirements for providers of plumbing and gas fitting primary and continuing education.
- (2) <u>Sections Declared Independent</u>. 248 CMR 1.00 through 11.00 is hereby declared to be an independent section and part of section and the holding of any section or part of section to be void and ineffective for any cause shall not be deemed to affect any other section or part of section.
- 11.02: Education and Experience Requirements for Apprentices, Journeyman and Master Licensees;

 Education and Experience Requirements for Undiluted Liquefied Petroleum Gas Installers and Limited Undiluted Liquefied Petroleum Gas Installers
 - (1) _____Qualifications -for admission to the Journeyman Plumber Examination.
 - (a) Apprentice Plumber Licensed before September 1, 2008. An applicant who is a licensed apprentice plumber and the apprentice license was received prior to September 1, 2008 in accordance with M.G.L. c. 142, § 3A or who commenced a plumbing program in a Massachusetts Public Comprehensive High School Career/Vocational Technical School Program on or before September of 2008, successfully completed that program, and obtained an apprentice license within five years of the commencement of that program, shall be required to fill out a Board approved application and meet the following requirements to be eligible for admission to the journeyman plumber examination:
 - 1. Experience. The applicant shall furnish documentary proof satisfactory to the Board of having completed practical work experience performing plumbing and gas fitting that totals no less than 5,100 clock hours as a licensed apprentice working as an employee under the direct supervision of a Commonwealth of Massachusetts licensed master plumber or under the direct supervision of a Commonwealth of Massachusetts licensed journeyman plumber who is in the employ of a master plumber. Experience installing HVAC components for the installation of heating systems, steam piping and hydronic heat piping or other work not

requiring a plumbing or gas fitting license shall not be considered qualifying experience.

2. <u>Education</u>

- a. _____The applicant shall furnish documentary proof of having received a high school diploma or the equivalent; and
- b. _____The applicant shall furnish documentary proof of having successfully completed 300 clock hours of plumbing and gas fitting theory culminating in a school or instructor designed examination to ensure competency. This education must take place over a period of no less than three years and must meet the requirements of 248 CMR 11.00. For each calendar year, no more than 150 hours of education may be credited for licensure purposes.
- Applicants enrolled in Public Comprehensive High School
 Career/Vocational Technical School Programs prior to September 1, 2008.
 - a. Eligibility. To be considered equivalent to an individual obtaining an apprentice license prior to September 1, 2008, an applicant must meet the following criteria:
 - 1. The applicant must have been a secondary school student enrolled in a Public Comprehensive High School Career/Vocational Technical School plumbing program (not including exploratory hours) prior to September 1, 2008; and
 - The applicant must have obtained an apprentice
 license within five years of beginning the high school plumbing program.
 - b. Credit Granted. Eligible applicants under this section shall be granted up to 300 hours of education and 1,700 clock hours of experience credit from the Public Comprehensive High School Career/Vocational Technical School program.
- 3. Public Comprehensive High School Career/Vocational Technical School
 Program. An applicant who successfully completes a Public
 Comprehensive High School Career/Vocational Technical School
 Program following the CVTE (Career Vocational Technical Education)
 educational standard framework and who otherwise meets the
 requirements of 248 CMR 11.00 may be granted a maximum of 300
 hours of educational theory credit and 1,700 hours of experience credit
 from that program. Such applicants must also present documentation
 demonstrating that he or she has been licensed as an apprentice for a
 period of no less than two years and completed no less than 3,400 clock
 hours of practical experience as a licensed apprentice working as an
 employee under the direct supervision of a master plumber or under a
 journeyman plumber who is in the employ of a master plumber in
 accordance with M.G.L. c. 142, § 3 in order to be eligible for admission
 to the journeyman plumber examination.

- -4. The provisions of 248 CMR 11.02(1)(a) shall expire on May 1, 2021. All applicants for a journeyman plumbing license who submit an application on or after May 1, 2020 shall, without loss of any lawfully earned education or work experience, be subject to the same upgrading requirements as those imposed on apprentice licenses issued pursuant to 248 CMR 11.02(1)(b). Exception: the Board may, in its discretion, waive this deadline for individuals who suffered from a relevant, documented hardship. However, no such waivers shall be granted on or after May 1, 2021.
- (b) Apprentice Plumber Licensed on or after September 1, 2008. An applicant who is a licensed apprentice plumber and the apprentice license was issued on or after September 1, 2008 in accordance with M.G.L. c. 142, § 3A not otherwise meeting the criteria outlined in 248 CMR 11.02(1)(a) shall be required to fill out a Board approved application and complete the following education and experience criteria to be eligible for admission to the journeyman plumber examination:
 - 1. Experience. The applicant shall furnish documentary proof satisfactory to the Board of having completed practical work experience that totals no less than 8,500 clock hours as a licensed apprentice working as an employee under the direct supervision of a Commonwealth of Massachusetts licensed master plumber or under the direct supervision of a Commonwealth of Massachusetts licensed journeyman plumber who is in the employ of a master plumber. Experience installing HVAC components for the installation of heating systems, steam piping and hydronic heat piping shall not be considered qualifying experience.

2. Education.

- a. _____The applicant shall furnish documentary proof of having received a high school diploma or the equivalent; and
- b. _____The applicant shall furnish documentary proof of having successfully completed 550 clock hours of plumbing and gasfitting theory culminating in a school or instructor designed examination to ensure competency. This education must take place over a period of no less than five years and must meet the Board administrated requirements of 248 CMR 11.00. For each calendar year, no more than 110 hours of education may be credited for licensure purposes.
- c. ____Apprentices licensed on or after September 1, 2008-shall begin their education program within nine months of the initial issuance of that their apprentice license.
- 3. <u>Education</u> <u>Timeframes for completing education</u> and work experience.
 - a. General Rule. must be contemporaneous. Absent special
 Board approval, aAn applicant will not receive credit for any
 work experience orand education unless they were completed
 in conjunction with one another as measured by calendar years.
 For each year in which an apprentice obtains 110 clock hours
 of education, that apprentice must accrue 1700 clock hours of

- qualifying work experience <u>as a licensed apprentice</u>.-<u>This</u> <u>general rule is subject to exceptions as described in this section:</u>
- b. Exception 1. In the event that, due to a hardship, an Apprentice is enrolled in a tier but loses their employment, they shall be permitted to complete the tier they are enrolled in. However, the Apprentice must obtain employment prior to enrolling in any additional tiers.
- c. Exception 2. A licensed apprentice may complete Tier 1 and Tier 2 in a single calendar year.
- d. Exception 3. An unlicensed individual, who by definition may not accrue work experience, may complete Tier 1 of the education requirement prior to licensure. All remaining education and work experience must be accrued in compliance with the licensing and timeframes described above.
- 4. Public Comprehensive High School Career/Vocational Technical School
 Program. An applicant who, as a secondary school student, successfully
 completes/graduates from a Public Comprehensive High School
 Career/Vocational Technical School Program following the CVTE
 (Career Vocational Technical Education) educational standard
 framework and whose program is approved by the Board to otherwise
 meets the requirements of 248 CMR 11.00, may be granted a maximum
 of the first three tiers, comprising 330 hours of educational theory credit
 and 1,700 hours of experience credit from that program. Additionally,
 secondary students may accrue a maximum of 1,700 hours of experience
 credit while enrolled in a Board approved Massachusetts Public
 Comprehensive High School Career/Vocational Technical School
 Program, said experience hours may be accrued as follows:
 - a. In a "shop" or "laboratory" facility at the school where students are under the direct supervision of one or more licensed plumbers who meet the educator licensing requirements of the Department of Elementary and Secondary Education;
 - b. In a Board approved off-campus construction and/or maintenance project overseen by the school; or
 - c. After obtaining an apprentice license, in a school arranged coop employment relationship with a master plumber. Subject to
 the limitations of 248 CMR 11.00, students working as
 apprentices are eligible for experience hours above and beyond
 the 1,700 hours of experience for work experience in a co-op
 relationship that is documented by the employing master
 plumber to have occurred outside of normal school hours (such
 as evenings, weekends, and summers).

Such applicants must also:

a. present documentation demonstrating that he or she has been licensed as an apprentice for a period of no less than four years and completed no less than 6,800 clock hours of practical experience, working as an employee, as a licensed apprentice under the direct supervision of a master plumber or under a journeyman plumber who is in the employ of a master plumber

in accordance with M.G.L. c. 142, § 3 in order to be eligible for admission to the journeyman plumber examination; and

- b. present documentation demonstrating that he or she has completed 220 clock hours comprising Tier Four and Tier Five of the education outlined in these regulations.
- (c) <u>Limitation on Examination Attempts</u>. A licensed apprentice shall not be permitted to attempt the journeyman license examination more than six times without special Board approval demonstrating good cause.

(d) Apprentice Plumber License Renewal Limited.

- 1. An apprentice license shall not be renewed (nor shall the licensee be eligible for a new license) after ten years from the date the license was initially granted or Sept.on or after September 1, 2018, which ever comes later.
- 2. A licensed apprentice who has not successfully obtained a journeyman plumber license through the examination process following six examination attempts shall not be renewed.

32. Waivers of renewal restriction

An apprentice whose license <u>hasis</u> not <u>been renewedeligible</u> for <u>non-compliance</u> with the requirements of <u>renewal pursuant to</u> this section shall be permitted to petition the Board for reinstatement, for good cause, <u>of</u> his or her apprentice license.

- (e) Credit for licensure, education, and experience obtained pursuant to other Board issued licenses
 - A Massachusetts licensed journeyman or master gas fitter may, upon
 petition to the Board, utilize up to 220 hours of gas fitting education and
 3,400 hours of gas fitting work experience towards the requirements
 necessary to obtain a journeyman plumbing license.
 - 2. A Massachusetts licensed apprentice gas fitter who has not obtained a higher level license may, upon petition to the Board, utilize up to 110 hours of gas fitting education and 1,700 hours of gas fitting work experience towards the requirements necessary to obtain a journeyman plumbing license.
 - 3. A Massachusetts licensed undiluted liquefied petroleum gas installer or an unlicensed undiluted liquefied petroleum gas installer in training may, upon petition to the Board, utilize up to 110 hours of undiluted liquefied petroleum gas education and 1,700 hours of undiluted liquefied petroleum gas work experience towards the requirements necessary to obtain a journeyman plumbing license.
 - 4. No credit shall be granted for education or work experience as a limited undiluted liquefied petroleum gas installer.
- (2) Qualifications for admission to the Master Plumber Examination.

- (a) An applicant who is a licensed journeyman plumber shall be required to file a completed application and meet the following education and experience criteria to be eligible for admission to the master plumber examination:
 - Experience. The applicant shall furnish documentation satisfactory to the Board demonstrating completion of no less than one year practical experience totaling a minimum of 1,700 clock hours of experience as the holder of a Commonwealth of Massachusetts journeyman plumber license and demonstrating that he or she has been actively engaged in or working at the business of installing repairing, or maintaining plumbing and gasfittinggas fitting systems, apparatus, devices, fixtures or other appliances typical to the discipline of the plumbing and gasfittinggas fitting industry only.
 - 2. <u>Education</u>. The applicant shall furnish documentation satisfactory to the Board of having completed the 110 hour tier five of the five tier Plumber Educational Program as approved by the Board and described in 248 CMR 11.06. Individuals who completed this education as an apprentice shall not be required to complete any additional education.
- (3) Qualifications for admission to the Journeyman Gasfitter Examination.
 - (a) Apprentice Gasfitter Licensed before September 1, 2008. An applicant who is a licensed apprentice gasfitter and the apprentice license was received prior to September 1, 2008 in accordance with M.G.L. c. 142, § 3A shall be required to fill out a Board approved application and complete the following education and experience criteria to be eligible for admission to the journeyman gasfitter examination:
 - 1. Experience. The applicant shall furnish documentation satisfactory to the Board demonstrating completion of practical work experience of no less than 3,400-clock hours as a licensed apprentice working as an employee under the direct supervision of a licensed master gasfitter or under the direct supervision of a licensed journeyman gasfitter who is in the employ of a master gasfitter in accordance with M.G.L. c. 142, § 3, installing, repairing, or maintaining gas piping systems, apparatus, devices, fixtures or other appliances typical to the discipline of the gasfitting industry only. Experience that is limited to installing HVAC components for the installation of heating systems, steam piping and hydronic heat piping shall not be considered qualifying experience.

2. <u>Education</u>.

- a.-____The applicant shall furnish documentation to the Board of having received a high school diploma or the equivalent, and:
- b. _____The applicant shall furnish documentary proof of having completed 150 clock hours of gasfittinggas fitting theory culminating in a school or instructor designed examination to ensure competency. This education must take place -over a period of no less than two years- and must meet the Board administered requirements of 248 CMR 11.00.
- 3. The provisions of 248 CMR 11.02(3)(a) shall expire on May 1, 2021.

 All applicants for a journeyman gasfitter who submit an application on or after May 1, 2020 shall, without loss of any lawfully earned education

or work experience, be subject to the same upgrading requirements as those imposed on apprentice licenses issued pursuant to 248 CMR 11.02(3)(b). Exception: the Board may, in its discretion, waive this deadline for individuals who suffered from a relevant, documented hardship. However, no such waivers shall be granted on or after May 1, 2021.

- (b) Apprentice Gasfitter Licensed on or after September 1, 2008. An applicant who is a licensed apprentice gasfitter and the apprentice license was received on or after September 1, 2008 in accordance with M.G.L. c. 142, § 3A shall be required to fill out a complete application and complete the following education and experience criteria to be eligible for admission to the journeyman gasfitter examination:
 - 1. Experience. The applicant shall furnish documentation satisfactory to the Board demonstrating completion of practical work experience of no less than 5,100-clock hours as a licensed apprentice working as an employee under the direct supervision of a licensed master gasfitter or under the direct supervision of a licensed journeyman gasfitter who is in the employ of a master gasfitter in accordance with M.G.L. c. 142, § 3, installing, repairing, or maintaining gas piping systems, apparatus, devices, fixtures or other appliances typical to the discipline of the gas fitting industry only. Experience that is limited to installing HVAC components for the installation of heating systems, steam piping and hydronic heat piping shall not be considered qualifying experience.

2. <u>Education</u>.

- a. _____The applicant shall furnish documentation to the Board of having received a high school diploma or the equivalent, and;
- b. _____The applicant shall furnish documentary proof of having completed 330 clock hours of apprenticeship gasfitting educational theory culminating in a school or instructor designed examination to ensure competency. This education must take place over a period of no less than three years and meet the Board administered requirements of 248 CMR 11.00.

3. Education Timeframes for completing education and work experience

- a. General Rule. An applicant will not receive credit for work

 experience and education unless they were completed in

 conjunction with one another as measured by calendar years.

 For each year in which an apprentice obtains 110 clock hours

 of education, that apprentice must accrue 1700 clock hours of

 qualifying work experience as a licensed apprentice. This

 general rule is subject to exceptions as described in this section.
- b. Exception 1. In the event that, due to a hardship, an Apprentice
 is enrolled in a Tier but loses their employment, they shall be
 permitted to complete the Tier they are enrolled in. However,
 the Apprentice must obtain employment prior to enrolling in
 any additional tiers.
- Exception 2. A licensed apprentice may complete Tier 1 and Tier 2 in a single calendar year.

- d. Exception 3. An unlicensed individual, who by definition may not accrue work experience, may complete Tier 1 of the education requirement prior to licensure. All remaining education and work experience must be accrued in compliance with the licensing and timeframes described above.
- must be contemporaneous. Absent special Board approval, an applicant will not receive credit for work experience and education unless they were completed in conjunction with one another as measured by calendar years. For each year in which an apprentice obtains 110 clock hours of education, that apprentice must accrue 1700 clock hours of qualifying work experience.
- (c) <u>Limitation on Examination Attempts</u>. A licensed apprentice shall not be permitted to attempt the journeyman license examination more than six times without special Board approval demonstrating good cause.
- (d) <u>Apprentice Gasfitter License Renewal Limited.</u>
 - 1. An apprentice license shall not be renewed (nor shall the licensee be eligible for a new license) after ten years from the date the license was initially granted or September 1, 2018, which ever comes later...
 - 2. A licensed apprentice gasfitter who has not successfully obtained a journeyman gasfitter license through the examination process following six examination attempts shall not be renewed.
 - <u>32.</u> <u>Waivers of renewal restriction</u>
 - An apprentice whose license has who is not been renewedeligible for non-compliance with renewal pursuant to the requirements of this section shall be permitted to petition the Board for reinstatement, for good cause, of his or her apprentice license.
 - Any apprentice license the Board allows to be renewed on or after September 1, 2018 shall, without loss of any lawfully earned education or work experience, be subject to the same upgrading requirements as those imposed on apprentice licenses issued on or after September 1, 2008. Exception: the Board may, in its discretion, waive this deadline for individuals who suffered from a relevant, documented hardship. However, no such waivers shall be granted after December 31, 2018.
- (e) Credit for licensure, education, and experience obtained pursuant to other Board issued licenses.
 - 1. While not required to practice gas-fitting, a journeyman or master plumber who desires a journeyman gas-fitting license may obtain the license by submitting a completed application, paying the appropriate

fee, and passing the requisite examination. Such applicants need not obtain additional education or work experience.

- 2. A Massachusetts licensed undiluted liquefied petroleum gas installer or an unlicensed undiluted liquefied petroleum gas installer in training may, upon petition to the Board, utilize up to 220 hours of undiluted liquefied petroleum gas education and 3,400 hours of undiluted liquefied petroleum gas work experience towards the requirements necessary to obtain a journeyman gas fitting license.
- 3. A Massachusetts licensed apprentice plumber may, upon petition to the Board, utilize up to 110 hours of education and 1,700 hours of undiluted work experience towards the requirements necessary to obtain a journeyman gas fitting license. Said work experience must have been obtained performing gas installations with the applicant under the direct supervision of a Massachusetts licensed master plumber who can certify that the work experience was specific to gas-fitting.
- 4. No credit shall be granted for education or work experience as a limited undiluted liquefied petroleum gas installer.

(4) Qualifications for admission to the Master Gasfitter Examination.

————(a) _____An applicant who is a licensed journeyman gas fitter shall be required to complete the following education and experience criteria to be eligible for admission to the master gasfitters examination:

1. <u>Experience</u>.

a. Applications Received Prior to September 1, 2011. The applicant shall furnish documentation satisfactory to the Board demonstrating completion of no less than six calendar months of practical experience totaling a minimum of 850 clock hours of experience as the holder of a journeyman gasfitter license and has been actively engaged in or working at the business of, installing repairing, or maintaining gasfitting systems, apparatus, devices, fixtures or other appliances typical to the discipline of the gasfitting industry only.

b. Applications Received on or after September 1, 2011. The applicant shall furnish documentation satisfactory to the Board demonstrating completion of no less than one year practical experience totaling a minimum of 1,700 clock hours of experience as the holder of a Commonwealth of Massachusetts journeyman gasfitter license and has been actively engaged in or working at the business of installing repairing, or maintaining gasfitting systems, apparatus, devices, fixtures or other appliances typical to the discipline of the gasfitting industry only.

2. Education.

The applicant shall furnish documentation satisfactory to the Board of having completed 50 clock hours of gasfittings fitting theory in a master gasfitter educational program, culminating in a school or instructor designed examination to ensure competency. This program must meet the Board administered requirements of 248 CMR 11.00.

However, applicants who have completed the 110 hour tier three of the three tier Gas Fitter Educational Program as approved by the Board and described in 248 CMR 11.06 shall be exempt from having to obtain additional education.

Master Plumbers.

While not required to practice gas-fitting, a master plumber who desires a master gas-fitting license may obtain the license by submitting a completed application, paying the appropriate fee, and passing the requisite examination. Such applicants need not obtain additional education or work experience.

(5) <u>Qualifications for admission to the Undiluted Liquefied Petroleum Gas Installer</u> Examination.

- (a) _____An applicant for licensure as an undiluted liquefied petroleum gas installer shall be required to complete the education and experience requirements in order to be eligible for admission to the undiluted liquefied petroleum gas installer examination:
 - Experience. The applicant shall furnish documentation satisfactory to the Board demonstrating completion of practical work experience of no less than 3,400 clock hours over a period of no less than two years specifically in the discipline of undiluted liquefied petroleum gas installations working, as an employee, under the direct supervision of a Commonwealth of Massachusetts licensed undiluted liquefied petroleum gasfitting installer or a licensed journeyman or master plumber or gas fitter licensed in accordance with M.G.L. c. 142, § 3. Said applicant shall only be granted experience in which he or she was engaged in, installing, repairing, or maintaining propane gas piping systems, apparatus, devices, fixtures or other appliances restricted to the discipline of the undiluted liquefied petroleum gasfitting industry-only. Experience that is limited to installing HVAC components for the installation of heating systems, steam piping, hydronic heat piping, and other work falling under the scope of the gas fitting license, shall not be considered qualifying experience. As of this time, individuals accruing experience under this section, who will be considered undiluted liquefied petroleum gas installers in training, are not required to hold a license in Massachusetts.

2. <u>Education</u>.

- a. _____The applicant shall furnish documentation satisfactory to the Board of having received a high school diploma or the equivalent, and:
- b. _____The applicant shall furnish documentary proof of having completed 220 clock hours of undiluted liquefied petroleum gas educational theory in a undiluted liquefied petroleum gas educational program culminating in a school or instructor designed examination to ensure competency. This program

must meet the Board administered requirements of 248 CMR 11.00.

- (b) <u>Limitation on Examination Attempts</u>. No individual shall be permitted to attempt the Undiluted Liquefied Petroleum Gas Installer license examination more than six times without special Board approval demonstrating good cause.
- (6)— Qualifications for admission to the Limited Undiluted Liquefied Petroleum Gas Installer Examination. An applicant for licensure as a limited undiluted liquefied petroleum gas installer shall be required to complete the following education and experience requirements to be eligible for admission to the limited undiluted liquefied petroleum gas installer examination:
 - (a) Education. Effective for all applications received on or after September 1, 2010.

 An applicant shallmust furnish documentary proof satisfactory to the Board of completing a ten (10) hour Occupational Safety and Health Administration course in construction safety and health.
 - (b) Experience. An applicant shall furnish documentary proof satisfactory to the Board of having a minimum of 1,700 hours of work experience. As of this time, individuals accruing experience under this section, who will be considered limited undiluted liquefied petroleum gas installers in training, are not required to hold a license in Massachusetts. The work experience must be accrued as follows:
 - 1. For Applications Received prior to September 1, 2010. The work experience must be gained in construction and familiarity with construction sites including supervised observation of and experience with the installation, connecting and relocating from place to place of portable construction type undiluted liquefied petroleum gas portable heating equipment.
 - For Applications received on or after September 1, 2010. The work experience must be accrued as follows:
 - al. One thousand (1,000) clock hours of general experience on construction sites, which shall be certified by a supervising individual holding a non-apprentice level construction related professional license.
 - b2. Seven hundred (700) clock hours of experience installing, connecting and moving from place to place undiluted liquefied petroleum gas salamanders, space heaters and related equipment used in buildings under construction. This work must be under the direct supervision of a licensed limited undiluted liquefied petroleum gas installer or a licensed journeyman or master plumber or gas fitter.
 - (c) <u>Examination</u>. An applicant for a limited undiluted liquefied petroleum gas installer license shall be capable of demonstrating, by a practical and written examination, to the satisfaction of the examiner, competence and skill in the installation, connection, and movement of undiluted liquefied petroleum gas salamanders, space heaters and related equipment used in buildings under construction.
- (7) <u>Applicants with out-of-state or out of country education and work experience</u>
 - (a) <u>Education or Experience Waivers and Equivalency</u>. Applicants seeking a Massachusetts license who received their education or work experience in

another state or country may submit to the Board a written request petitioning that such experience or education be considered for approval as being substantially equivalent to the experience and education requirements required in Massachusetts. Unless Massachusetts has a reciprocity agreement with the relevant jurisdiction, all applicants will be required to pass the relevant examination for the license being sought.

- 1. <u>Licenses from another United States Jurisdiction</u>. An applicant who is licensed in another state or jurisdiction who is applying for the equivalent license in Massachusetts shall meet the following requirements:
 - a. ____Submit a completed application and the appropriate fee to the Board with documentation sufficient to demonstrate that the out of state license has been active for not less than the three years immediately preceding the date of application and documentation from the issuing jurisdiction that the requirements for obtaining and maintaining the license are substantially equivalent to the requirements in the Commonwealth of Massachusetts.
 - b. ____Submit a statement certified by the Keeper of Records of the issuing jurisdiction that such license is current, in good standing, and that there is no pending disciplinary action relating to the license.
- 2. <u>Licenses from an International Jurisdiction</u>. An applicant who is licensed in a jurisdiction outside of the United States as a journeyman or master plumber or the equivalent and who is applying for the equivalent licensure in the Commonwealth of Massachusetts shall meet the following requirements:
 - a.-___Submit a completed application and the appropriate fee to the Board with documentation, translated into the English language, sufficient to demonstrate that the international license has been active for not less than the three years immediately preceding the date of application and documentation from the issuing international jurisdiction that the requirements for obtaining and maintaining the license are substantially equivalent to the requirements in the Commonwealth of Massachusetts.
 - b.— Submit a statement translated into the English language and certified by the Keeper of Records of the issuing international jurisdiction that such license or equivalent is current, in good standing, and that there is no pending disciplinary action relating to the license.
- 3.— Individuals holding no licenses but possess out of state or out of country education/work experience. No out of state or out of country education or work experience will be accepted unless the Board determines, in its discretion, that such credentials are substantially equivalent to those in Massachusetts. Individuals seeking such a determination must petition the Board to review those credentials prior to filing an application for any license.

- (b)—The Board reserves the right to request additional information regarding qualifications and may choose not to grant or grant only in part a request for education or experience waivers
- (8) ___Unlicensed practice. Other then work performed under a Public Comprehensive High School Career/Vocational Technical School Program as described in these regulations, the Board shall not grant any work experience credit to an individual for any period in which they did not hold a valid license issued by the Board. This section shall not be construed as preventing the Board from taking additional disciplinary action against an individual for practicing without a license.

11.03: Application Requirements and Examination Administration

- (1)- <u>Application Materials</u>. It is the responsibility of the applicant for examination to make certain that all the required application documents and required supplementary documents demonstrating completion of experience and education requirements are completed before they are submitted for approval.
 - (a) _____Applications which are not complete, not legible, or are not accompanied by the required documentation, information and fee(s) shall not be accepted and shall be returned to the applicant.
 - (b) Veterans. Qualified applicants for examination who are Veterans when making application for examination shall file a copy of their DD-214 Discharge Papers/Separation Papers. The DD-214 shall include the date of induction into active service and date of separation. The Board shall grant a qualified applicant who is a veteran as defined in M.G.L. c. 4, § 7, Forty-third clause a credit of 2-1/2 % for the written theory portion of the exam and 2-1/2 % for the practical portion of the examfive percent of the examination as describe in M.G.L. c. 142, §4.
 - (c) Board approval of an applicant to take an examination shall be valid for a period of one year. Upon the expiration of one year, an applicant may be required to submit additional or updated application materials in order to take the examination.
- (2) Reasonable Accommodations for Examinations. Qualified applicants for examination who are physically impaired or challenged may receive upon request, Board authorized accommodations as required by law. The applicant's medical condition shall be documented by a Doctor/Physician when the application for examination is submitted.
- (3) <u>Examination Scores.</u> Qualified applicants for examination shall achieve the following to qualify for licensure:
 - (a) Receive a score of no less than 70% on each portion of the examination;
 - (b) ____Applicants for examination who receive less than 70% and fail a portion of the exam shall be required to retake the portion they failed within one year from date of failure. Applicants who do not retest or pass the examination within one year from the most recent date of failure shall be required to retake all parts of the examination.
- (4) <u>Examination Review.</u>

Any applicant who does not achieve a passing score on any part of an examination may apply to the Board's designated exam administrator in writing for an opportunity to review the examination. Each applicant seeking review of an examination shall submit the required fee for such review. Applicants permitted to review an examination may not be accompanied by any person(s) while engaged in a review. The Board shall make all final decisions with respect to the validity of examination questions, applicant scores, and applicant licensure. 11.04: Mandatory Continuing Education (MCE) Requirements for Master and Journeymen Plumbers, Master and Journeyman Gasfitters and for Undiluted Liquefied Petroleum Gas Installers. General Continuing Education Provisions. (a) Effective for all licenses expiring on or after April 30, 2010, Commonwealth of All Massachusetts licensed plumbers, gasfitters, and undiluted liquefied petroleum gas installers, shall during every two year license cycle complete a course of continuing education without repetition. Apprentices shall not be required to complete continuing education. Continuing education policies, procedures, course content, and providers are subject to Board approval and must adhere to Board rules, regulations and policies. Continuing education courses shall focus on the Rules and Regulations of 248 CMR 3.00 through 11.00. In addition, the Board may approve continuing education courses that may include industry related business, law, technology or other subject matters. Requirements for License Renewal. Except as otherwise permitted in 248 CMR 11.00, each journeyman and master plumber, journeyman and master gasfitter, or undiluted liquefied petroleum gas installer shall, as a condition of license renewal, complete the following as applicable: 1. _____12-clock hours of approved continuing education courses for plumbers with an approved provider; and six-clock hours of approved continuing education courses for gasfitters or undiluted liquefied petroleum gas installers with an approved provider Each licensee shall retain all Mandatory Continuing Education documentation for no less than three renewal cycles and shall furnish this documentation to the Board for verification of completion of the Continuing Education requirements if requested by the Board.

Online and correspondence courses.

(c)

- 1. Licensees shall only be allowed to take Board approved online or correspondence courses. The Board may deny the right to take online or correspondence courses to individuals whose licenses have lapsed or have been subject to discipline.
- 2. The Board may impose additional requirements on Board approved online or correspondence courses, these requirements may include successfully completing an examination.
- (d) _____It shall be the licensee's responsibility to ensure that their Provider has been authorized by the Board.
- (3)- <u>Licensee Qualifications for Exemption of the (MCE) Mandatory Continuing Education Requirement.</u>
 - (a) _____A licensee shall be exempt from completing mandatory continuing education requirements if one of the following applies prior to the end of the renewal cycle unless otherwise specified:
 - 1. _____The licensee, as an approved instructor, has taught all courses which, without duplication, would fulfill their continuing education requirement for that renewal cycle;
 - 2. _____The licensee is a qualified and duly appointed Inspector,
 Assistant Inspector or Alternate Inspector of Plumbing and/or
 Gasfitting appointed pursuant to M.G.L. c. 142, § 11b and has
 successfully completed the continuing education requirements
 of M.G.L. c. 142, § 11;
 - 3. _____The licensee is a State Inspector/Investigator or is the Executive Director or Associate Executive Director for the Board of Examiners or Plumbers and Gasfitters and employed by the Commonwealth of Massachusetts Division of Professional Licensure (DPL);
 - 4. _____The licensee is an appointed member of the Board of Examiners of Plumbers and Gasfitters;
 - 5. _____The licensee was issued their license for the first time during the current renewal cycle. However, this exemption shall not relieve a journeyman plumber or gas fitter from the continuing education requirement during a renewal cycle in which they obtain a master's license-:
 - A Licensee who has appropriately petitioned the Board will be eligible for an exemption from the continuing education requirement starting the first full renewal cycle after the Licensee has attained 65 years of age. The Licensee shall still be responsible for completing continuing education in the renewal cycle in which they turn 65; or-
 - 7. The Licensee is a member of the military on active duty and has met the requirements of M.G.L. c. 112, §1B. However, upon leaving active duty, as a condition of future licensure, the

licensee must complete the continuing education hours for the current renewal cycle within 90 days of the date the licensee left active duty.

(b) Waivers for Other Good Cause.

- 1. _____The Board or Board authorized designee may consider the granting of a waiver of the mandatory continuing education requirements for other good cause shown. The waiver request shall be in writing and shall be accompanied by other supporting documentation that the licensee desires the Board to consider before ruling on the waiver request.
- 2. Illness or Disability of the Licensee or Immediate Family

 Member. A request for a waiver based on illness, disability, or other medically-related condition shall be in writing and accompanied by a letter addressed to the Board written and signed by a licensed medical physician stating the nature of the licensee's or the immediate family member's medical condition and the correlation between that condition and circumstance and the licensee's inability to complete the required continuing education within the required period.
- 3. _____Unless the Board finds good cause for failing to do so, all requests for waiver of continuing education must be submitted prior to the expiration of the renewal cycle in which said education must be complete.
- (4). With the exception of individuals suffering a permanent disability, waivers granted in this section shall be deemed to be waivers of deadlines only, not of the requirement to ultimately complete continuing education. All waivers granted by the Board shall indicate when continuing education must be completed.

(4) Failure by a Licensee to Complete (MCE) Mandatory Continuing Education Requirement.

- (a) _____Any licensee who does not complete the required clock hours of continuing education within the license renewal cycle shall be responsible for completing makeup classes covering the Board approved material for the continuing education missed.
- -(b) _____In addition to any makeup classes, all licensees who fail to complete continuing education requirements for any renewal cycle shall be subject to Board review and disciplinary action that may include, but not be limited to the issuance of fines, denial of a request for renewal, reexamination, suspension or revocation of existing licenses, and denial of applications for additional licenses. The Board is under no obligation to warn a licensee of non-compliance with continuing education requirements prior to commencing disciplinary action, however, said action shall be subject to any hearings required by law.
- (5) _____Reinstatement of lapsed/expired/suspended licenses.

- (a) Licensees who have failed to renew their licenses must fill out any applications required by the Board and must pay any back or late fees prior to board consideration.
- (b) Licensees whose licenses have lapsed/expired must meet the following additional requirements for reinstating their licenses:
 - If expired for <u>foursix</u> years or less, licensees must complete all continuing education hours prior to applying to reinstate their license.
 - 2. If expired for more then than foursix years, licensees must complete the continuing education hours for the current renewal cycle and pass the full Board examination for their highest level license prior to being reinstated. However, Licensees shall not be required to take the examination if they completed all Board required continuing education requirements for each two year cycle during the period in which their license was expired.
 - 3. Without special Board approval, no waivers of continuing education granted under any other section of these regulations shall apply for purposes of reinstating a lapsed or expired license.
- (c) Unless a decision or consent agreement explicitly states otherwise, licensees who are suspended are subject to the same provisions as licensees who are expired and must complete allany continuing education or examination requirements in order to qualify for reinstating their licenses. The Board may also remove a licensee's eligibility for waivers or exemptions of continuing education requirements as part of sanctions related to a disciplinary action.
- (d) This section shall not be deemed to sanction unlicensed practice. An individual practicing with an expired or suspended license may face disciplinary action up to and including revocation of the right to renew that license.
- (6) <u>Initial Certificate and Documentation of Completion of (MCE) Mandatory</u>
 Continuing Education Requirements.
 - (a) ____Upon the successful completion of the clock hours of continuing education each licensee shall receive from his or her board approved continuing education provider a certificate of completion.
 - (b) _____Each licensee shall retain such documentation for three renewal cycles and shall furnish it to the Board for verification of completion of the mandatory continuing education requirements if so requested. Failure to provide proof of required documentation may result in non-renewal of a license or other disciplinary action by the Board.
- (7) <u>Duplicate (MCE) Mandatory Continuing Education Certificate.</u>
 - (a) _____Any licensee whose certificate of completion has been lost or destroyed shall obtain a duplicate certificate from the original provider by

forwarding a written request including the reason(s) for the duplicate and any fee required by the Provider.

- (b) _____It shall be the responsibility of the licensee to make available all certificates to the Board if requested by the Board.
- (8) Falsification of Information or Fraudulent Transfer of Mandatory Continuing

 Education Certificates of Completion. The falsification of any Mandatory

 Continuing Education or the transfer of a certificate of completion of continuing
 education to any individual in order to meet Mandatory Continuing Education
 license renewal requirements shall be grounds for the initiation of formal
 disciplinary proceedings against the licensees found to have engaged in such
 misconduct, up to and including suspension or revocation of any license(s) issued
 by the Board.

11.05:-	Qualifications and	Requirements for	Mandatory	Continuing	Education	Providers	and
	Instructors	*	•				

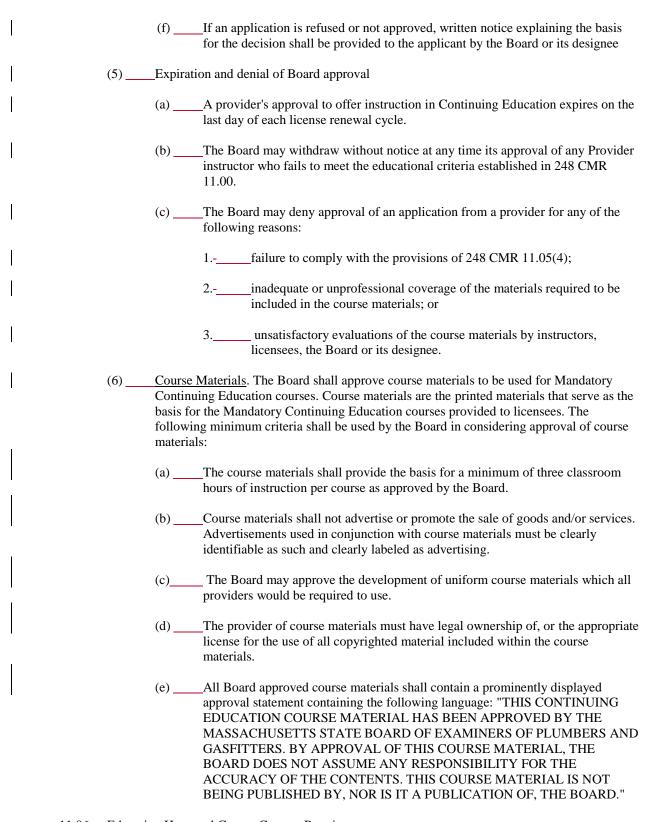
	ifications and Requirements for Mandatory Continuing Education Providers.
(a) _	A Provider of Mandatory Continuing Education seminars or courses may include:
	1vocational schools;
	2association-sponsored programs;
	3labor training programs;
	4 employer training programs;
	5 private program.
(b) _	All Providers seeking Board approval to conduct programs for Mandatory Continuing Education shall meet the following requirements:
	1Complete and submit the Provider Application Form.
	2Complete and submit the Provider Agreement Form which shall be accompanied by the appropriate application fee.
	3. Provide a detailed outline and lesson plan of each course of study offered, and the names and license numbers of all instructors annually.
	4 Proof of liability insurance satisfactory to the Board shall be provided annually.
	5The applicant Provider shall provide a copy of an indemnification bond in such form and amount as shall be required by the Board annually.
	6Providers may need to meet additional requirements, as specified by the Board, to offer online or correspondence courses.
(c)	The Board may withdraw without notice at any time its approval as issued to any

Provider or issued for any program, course or instructor who, in the Board's

opinion and in its sole discretion, no longer meets the requirements for approval established by the Board.

(2)	Instruc	tor Qualifications to Conduct (MCE) Mandatory Continuing Education Courses.
	(a)	Provider instructors shall be approved by the Board and must hold the requisite Board issued license, in good standing, before being authorized to serve as an instructor for any Mandatory Continuing Education course.
	(b)	Each Provider shall notify the Board in writing of any change of instructors for any course within ten days of the change.
	(c)	_Instructors of plumbing courses must have a master plumbers license.
	(d)	Instructors of gas-fitting courses must have either a master plumber or master gas fitters license.
	(e)	_Instructors of undiluted liquefied petroleum gas courses must have a master plumbers license, a master gas-fitters license, or a undiluted liquefied petroleum gas installers license accompanied by evidence of two years work experience.
	(f)	Subject to proper disclosure to the Division of Professional Licensure and to the Board, an agent or employee of the Division of Professional Licensure who would otherwise qualify as an instructor under this section may serve, when not on duty, as an instructor for a continuing education course put on by a private or non-profit entity. Such an individual may only serve as such an instructor so long as they take no part in any Board function regarding policies, procedures, approvals, or other official actions which would create a conflict of interest pursuant to relevant public ethics laws.
	(g)	The Board may approve other individuals who would not otherwise qualify as instructors of Mandatory Continuing Education courses where those individuals have a demonstrated competency in subject areas applicable to the plumbing and gas-fitting industry which is substantially equivalent to that held by normally qualified Board approved instructors. Additionally, the Board may approve individuals who possess specialized knowledge relating to the subject being taught.
(3)	Manda	tory Continuing Education Record Keeping Requirements.
	(a)- <u> </u>	Mandatory Continuing Education Records. All authorized Providers shall maintain for a period of no less than three license renewal cycles complete and accurate records for each licensee to whom the provider has issued a Certificate of Completion of Continuing Education. In addition, records of class attendance shall be submitted to the Board electronically at the completion of each renewal cycle or when the provider ceases to provide continuing education courses.
	(b)	_Mandatory Continuing Education Certificates of Completion. A Certificate of Completion of Mandatory Continuing Education Seminar Course record shall at minimum include all of the following information:
		1Three digit Provider number as issued by the Board.
		2Instructor's name and license number.

		3Instructor's actual or electronic signature signed under pains and penalties of perjury.
		4Course date and location (city or town)
		5Classroom clock hours of instruction and course subject matter.
		6Attendee name, his or her license number and designation.
	(c)P1	roviders shall possess and maintain electronic technology acceptable to the Board.
	(d)	Each approved Providers shall, at its own expense and in a format approved by the Board, electronically transmit to the Board or its designee certification of each licensee's completion of the continuing education course within five working days of the completion date of the course. The certification shall contain the following data and information:
		1Names and license number(s) of all licensees attending the continuing education course.
		2Date of the course.
	(e)	_The Board may charge course providers a fee to recover costs for software and for training Providers in the use of that software.
	(f)	All records maintained by the provider shall be made available to the Board or its designee within ten days upon request.
	(g)	Each provider shall be responsible for the security of any Board issued provider numbers and authorization certificates in accordance with 248 CMR 11.00.
	(h)	Falsification of any information relating to Mandatory Continuing Education requirements by the Provider shall result in the revocation of any approval provided by the Board to any Provider engaging in such misconduct. In addition, the Board may initiate any other legal action it deems appropriate in the circumstances, including but not limited to criminal prosecution. Any licensee(s) participating in such misconduct shall be the subject of formal disciplinary proceedings, including but not limited to both administrative and criminal proceedings.
(4)	_Provide	ers shall offer continuing education courses in any of the following formats:
	(a)	No more than six hours of classroom instruction may be presented in one day per instructor.
	(b)	_No less than three hours of classroom instruction presented in one day per instructor.
	(c)	_ An online learning or written correspondence course approved by the Board.
	(d)	Providers shall limit the number of students for any continuing education class to no more than 49.
	(e)	_Providers shall not advertise or promote the sale of specific goods and/or services during the course of any continuing education class.



11.06: Education Hour and Course Content Requirements

(1) Board Certification Required

- (a) All Public, Private, Proprietary, Occupational Trade Schools, College/University programs, or other educational programs must be certified by the Board in order to qualify for credit towards a Board issued license.
- (b) Educational Programs not certified by the Board shall not be granted any credit towards licensure unless the Board deems, in its discretion, that there was good cause for the program's failure to obtain certification.
- (c) All educational programs certified by the Board must divide the education provided into Tiers as described in these regulations

(2) Administrative Requirements for Educational Programs.

(a) <u>Instructor Qualifications</u>.

- All instructors of plumbing courses must hold a master plumbers license.
- All instructors of gas-fitting or undiluted liquefied petroleum gas installer courses must hold either a master gas-fitter or master plumbers license.
- 3. The Board may approve other individuals who would not otherwise qualify as instructors where those individuals have a demonstrated competency in subject areas applicable to the plumbing and gas-fitting industry which is substantially equivalent to that held by normally qualified Board approved instructors. Additionally, the Board may approve individuals who possess specialized knowledge relating to the subject being taught.
- 4. Subject to proper disclosure to the Division of Professional Licensure and to the Board, an agent or employee of the Division of Professional Licensure who would otherwise qualify as an instructor under this section may serve, when not on duty, as an instructor for licensing education programs put on by a private or non-profit entity. Such an individual may only serve as such an instructor so long as they take no part in any Board function regarding policies, procedures, approvals, or other official actions which could create a conflict of interest pursuant to relevant public ethics laws.

(b) Education Hours Requirements for Apprentice Plumbers who must follow the 550-clock hour program.

- 1. _____The course shall be segregated into five Tiers.
- 2. Each Tier shall contain 110-clock hours.
- 3. Each Tier shall be consecutive and shall be designed to coincide with the years of experience of the apprentice student.
- 4. _____Each Tier shall be administered and designed in compliance with the standards issued by the Board.
- 5. ____Students shall be required to demonstrate proficiency and competency in each <u>tier-Tier</u> by passing an examination designed by the school and/or the instructor.

	6	_ Each Tier shall include coverage in but shall not be limited to the following subject areas:
		a M.G.L. c. 142: Supervision of Plumbing;
		bThe Board adopted most current edition of 248 CMR 3.00 through 11.00;
		cOccupational Safety and Health Administration (OSHA) Rules and Regulations including the Construction Outreach Training Program;
		dMaterial Safety Data Sheets (MSDS);
		eDig Safe Systems in the Commonwealth of Massachusetts, M.G.L. c. 82 § 40.
	7	Students may not advance from one Tier to another until the clock hour and examination requirements of the preceding Tier have-has been successfully completed.
	8.	Students need not complete all Tiers with the same school/provider, however, each individual Tier must be completed with the same school/provider. Notwithstanding this prohibition, a student may petition the Board to be permitted to complete an incomplete Tier with a different school/provider when the new provider is able to certify that the student will be able to complete all content areas of said Tier.
(c)	Educati hour pr	ion Experience for Apprentice Gasfitters who must follow the 330 clock
	•	The 330-clock hour gas-fitting educational program shall be segregated into three Tiers.
		into tince 11615.
	2	
	2 3.	
		_Each Tier shall contain 110-clock hours. -Each Tier shall be consecutive and shall be designed to coincide with
	3.	Each Tier shall contain 110-clock hours. -Each Tier shall be consecutive and shall be designed to coincide with the years of experience of the apprentice student. Each Tier shall be administered and designed in compliance with the standards issued by the Board.
	3.4.5.	Each Tier shall contain 110-clock hours. -Each Tier shall be consecutive and shall be designed to coincide with the years of experience of the apprentice student. Each Tier shall be administered and designed in compliance with the standards issued by the Board. Students shall be required to demonstrate proficiency and competency in each tier by passing an examination designed by the school and/or the
	3.4.5.	Each Tier shall contain 110-clock hours. -Each Tier shall be consecutive and shall be designed to coincide with the years of experience of the apprentice student. Each Tier shall be administered and designed in compliance with the standards issued by the Board. Students shall be required to demonstrate proficiency and competency in each tier by passing an examination designed by the school and/or the instructor. Each Tier shall include coverage in but shall not be limited to the

	d248 CMR 5.00 : Amendments to 2002 Edition of ANSI Z223.1 NFPA 54;;
	e248 CMR 7.00: Massachusetts Code for Gas Utilization Equipment in Large Boilers;
	f. 248 CMR 8.00;
	g. 248 CMR 11.00: Education and Experience Standards and Requirements for Licensure;
	h. Occupational Safety and Health Administration (OSHA) Rules and Regulations including the Construction Outreach Training Program;
	h. iMaterial Safety Data Sheets (MSDS); i
	Dig Safe Systems in the Commonwealth of Massachusetts, M.G.L. c. 82 § 40.
	7Students may not advance from one Tier to another until the clock hour and examination requirements of the preceding Tier and the apprentice have has been successfully completed.
	8. Students need not complete all Tiers with the same school/provider, however, each individual Tier must be completed with the same school/provider. Notwithstanding this prohibition, a student may petition the Board to be permitted to complete an incomplete Tier with a different school/provider when the new provider is able to certify that the student will be able to complete all content areas of said Tier.
(d)	Education Experience for Undiluted Petroleum Gas Installer Applicants who must follow the 220 clock hour program.
	1.—The 220-clock hour gas-fitting educational program shall be segregated into two Tiers.
	2Each Tier shall contain 110-clock hours.
	3Each Tier shall be consecutive and shall be designed to coincide with the years of experience of the apprentice student.
	4Each Tier shall be administered and designed in compliance with the standards issued by the Board.
	5Students shall be required to demonstrate proficiency and competency in each tier by passing an examination designed by the school and/or the instructor.
	6Each Tier shall include coverage in but shall not be limited to the following subject areas:
	aM.G.L. c. 142: Supervision of Plumbing;

c. _____248 CMR 4.00: Introduction and Massachusetts Modifications.;

	b	_248 CMR 3.00: General Provisions Governing the Conduct of Plumbing and Gas Work Performed in the Commonwealth;
	c Modifications;;	_248 CMR 4.00 : Introduction and Massachusetts
	d NFPA	248 CMR 5.00 : Amendments to 2002 Edition of ANSI Z223.1 54;:
		248 CMR 7.00 : Massachusetts Code for Gas Utilization ment in Large Boilers;:
	f	248 CMR 8.00;
	<u>g.</u>	_248 CMR 11.00: Education and Experience Standards and Requirements for Licensure;
	g. <u>h.</u>	Occupational Safety and Health Administration (OSHA) Rules and Regulations including the Construction Outreach Training Program;
	h. <u>i.</u>	_Material Safety Data Sheets (MSDS);
	i. j.	_Dig Safe Systems in the Commonwealth of Massachusetts, M.G.L. c. 82 § 40.
	and exa	ts may not advance from one Tier to another until the clock hour amination requirements of the preceding Tier and the apprentice been successfully completed.
	howeve school/ petition differen	ts need not complete all Tiers with the same school/provider, er, each individual Tier must be completed with the same (provider. Notwithstanding this prohibition, a student may a the Board to be permitted to complete an incomplete Tier with a not school/provider when the new provider is able to certify that the dent will be able to complete all content areas of said Tier.
(e)		ing. All educational programs accepted by the Board for credit e must meet the latest Board requirements regardless of when ly certified.